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February 10, 2023

**By ECF**

The Honorable Vincent L. Briccetti  
United States District Court  
Southern District of New York  
300 Quarropas Street  
White Plains, NY 10601-4150

Re: *In re: HBL SNF, LLC*, Case No. 22-cv-06254 (VB)

Dear Judge Briccetti:

We represent Appellee White Plains Healthcare Properties I, LLC (the “Appellee”) in connection with the above-referenced appeal and write in response to Your Honor’s February 8, 2023 Order. We regret that counsel for Appellant HBL SNF, LLC (the “Appellant”) failed to timely file a status report with the Court. Unfortunately, we are not directly involved in the ongoing settlement discussions and rely on HBL’s counsel to provide status updates both to us and to the Court.

As stated in prior submissions to this Court, it is Appellee’s position that the appeal should be dismissed for lack of jurisdiction because the order appealed from is not a final order. We respectfully request that the appeal be dismissed or, in the alternative, that the Court set a briefing schedule for Appellee to move to dismiss the appeal.

Respectfully,

/s/ Eric B. Fisher  
Eric B. Fisher

cc: Counsel of Record (by ECF)